

THE REAL DEAL

Public Enemy No. 1 for Developers

Real estate lawyer Adam Leitman Bailey has gone up against some of the city's biggest builders and in the process emerged as one of the most controversial figures in the industry

June 02, 2010 07:00AM



No one ever accused Adam Leitman Bailey of having low self-esteem. "I think we may be the best real estate law firm of our time," he says on a recent Monday morning, in a corner office at 120 Broadway with framed newspaper clippings about his eponymous firm on the wall. At a table across the room, a summer intern uses a pen to edit the last chapter of his book, "The Insider's Guide to Buying a Home and Making Money in Real Estate," which is currently being shopped to editors. Forty-year-old Bailey is constantly in motion. "I have more energy than any human I've ever met," he says, toggling between the three computer screens on his desk. The phone rings. In the rapid-fire staccato that developers all over the city have come to dread, Bailey tells a client: "I needed that engineer's report yesterday... I think you're going to lose your case now. Good luck with that." He hangs up. "Tough love," he says. "We treat every case like the end of the world. Like if you lose, you'll be put to death." ... But allies and critics alike agree that he's an incredibly astute lawyer who will stop at nothing to defend his clients' interests ... "Adam is a force of nature," said Steven Rosefsky, the founder of real estate firm ACRE Properties and one of

Bailey's longtime clients.

A pit bull is born

"Adam is not like your typical lawyer," said Brian Owens, the owner of Crave Ceviche in Turtle Bay. Bailey's firm represented the restaurant after it was damaged by the deadly March 2008 crane collapse, helping it win a seven-figure settlement. "He's like a pit bull," said Owens, who picked Bailey over seven or eight of the city's top firms. "Most lawyers at the top of their game are older, more reserved, maybe not as flashy. Adam is in your face, loud." He means that as a compliment. "With the situation that I had, I needed it," he said. "He's brilliant," said Saft, who went up against him at Manhattan House. "Unfortunately that means he's frequently a pain in the ass." Bailey said his all-consuming drive to succeed comes from growing up poor ...

* * *

Since his days in landlord-tenant court, Bailey has grown his firm into a transactional and litigation real estate practice with more than 20 attorneys -- no small feat for a 40-year-old, said legal recruiter Michael Lord. He even hired, among others, his former boss, real estate appellate specialist Jeffrey Metz. "He's built his firm from essentially nothing," Lord said. "It's a very impressive feat. I've seen other

firms add partners, but I haven't seen it go from point A to point B quite like [Bailey's has], at least in the real estate field." ...

* * *

Now located in plush offices in the same building as the attorney general, his firm was one of only a few that specialized in real estate litigation. "Because he has this very specific fingernails-in-the-dirt experience with landlord-tenant, he's established a real niche," Rosefsky said ...

* * *

The construction boom in the city had also generated tenant lawsuits at condo conversions like Manhattan House, where Bailey represented tenants unhappy with construction conditions. At troubled condo 20 Pine, around 50 residents hired Bailey when they said the developer hadn't completed the building's common areas ...

* * *

Still, Bailey is often effective at bringing developers to the negotiating table, said Saft. "He will get brought into a project and the next thing you know, you'll get a call ..." said Saft, who represented the sponsors of Manhattan House. "That's been very effective in creating fear among developers and sponsors that it's just going to be a land war. They have a lot of money tied up in these projects, and they don't want to get involved in protracted litigation or adverse publicity." Saft said he respects Bailey's straightforward style, which he said helps the parties get down to negotiations. At Manhattan House, for example, Saft said, a "construction protocol" and compromises like rent abatements for tenants were agreed to quickly. "We managed in a couple of weeks to unwind a lot of litigation between the sponsor and the tenants. We were able to pretty much work everything out," he said ...

* * *

At 20 Pine, developer Africa Israel, headed by Lev Leviev, put in an additional \$21 million to complete renovations after Bailey started representing buyers there ... "Bailey comes out with really ingenious points," Saft said. "I don't necessarily agree with the positions he takes, but they are very original and very brilliant." ... "My job is not to make peace with the world," he said. "It's to advocate for a client and make sure they win. ... That's why they keep coming back."